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6   UNITED STATES DISTRICT COURT

7   DISTRICT OF NEVADA

8   * * * * *

9   CHRISTOPHER A. JONES,   )
)
10   Plaintiff,   )   3:10-cv-00162-LRH-VPC
)
11   v.   )
)   O R D E R
12   HOWARD SKOLNIK, et al.,   )
)
13   Defendants.   )
     _____)

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15   Before the court is Plaintiff Christopher A. Jones' Motion for Reconsideration of this court's

16   Order (#97) of January 12, 2012, pursuant to Fed. R. Civ. P. 59(e).

17   In that Order, the court sustained Defendants' Objection (#69) to the Magistrate Judge's Report

18   and Recommendation (#67) entered on October 20, 2011, and referred the matter to the Magistrate

19   Judge for reconsideration of Defendant's Motion to Dismiss (#39) on the merits. Furthermore, the

20   court denied as moot Defendants' Motion to Strike Plaintiff's Oppositions to Defendants' Objections

21   (#81), Defendants' Motion to Strike Unauthorized Portions of Plaintiff's Objections (#83), and

22   Plaintiff's Objections (#86) to this Court's Order denying Plaintiff's request for an extension of time

23   to file objections, which the court construed as a motion for reconsideration.

24   Plaintiff's present motion for reconsideration is not based on any asserted factual or legal error

25   in the court's Order remanding Defendant's Motion to Dismiss to the Magistrate Judge for

26   consideration on the merits. Instead, Plaintiff asserts that it is a foregone conclusion that the Magistrate

1 Judge will grant Defendant's Motion to Dismiss, that such a ruling would be erroneous, and thus the

2 court should consider the matter on the merits without remanding to the Magistrate Judge.

3   The court rejects Plaintiff's attempt to preempt the Magistrate Judge's consideration of

4 Defendant's motion on the merits. Until the Magistrate Judge issues a report and recommendation

5 addressing the merits of the pending motion, Plaintiff's objections are premature and will not be

6 considered.

7   IT IS THEREFORE ORDERED that Plaintiff's Motion for Reconsideration (#104) is DENIED.

8   IT IS SO ORDERED.

9   DATED this 9th day of February, 2012.

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13   LARRY R. HICKS
        UNITED STATES DISTRICT JUDGE

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